

HOUSE BILL NO. 73 PASSED, NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR

Mr. Isaacks moved to pass at this time, House Bill No. 73, notwithstanding the objections of the Governor,

H. B. No. 73, A bill to be entitled "An Act amending Article 802 of the Penal Code of Texas, as amended by Acts of the Second Called Session of the Legislature in 1923, as amended by Acts of 1935, 44th Legislature, First Called Session, Chapter 424, as amended by Acts of 1937, 45th Legislature, Chapter 60, providing that any person who drives or operates an automobile or other motor vehicle upon any public road or highway, or upon any street or alley within the limits of an incorporated city, town or village, while such person is intoxicated or in any degree under the influence of intoxicating liquors, shall be guilty of a misdemeanor, reducing the maximum penalty provided in said article from a penitentiary offense to a jail sentence, and increasing the minimum penalty thereof, and providing further that if such drunken driver shall be the cause of an accident whereby the death of another person shall be caused, he shall be guilty of a felony, and upon conviction he shall be confined in the penitentiary for not less than one year nor more than five years; and declaring an emergency."

House Bill No. 73 was passed notwithstanding the objections of the Governor, by the following vote:

Yeas—101

Allen	Harris of Hill
Allison	Hartzog
Alsup	Henderson
Avant	Hileman
Bailey	Howington
Bean	Huffman
Bell	Hughes
Benton	Humphrey
Blankenship	Isaacks
Brawner	Kelly
Bray	Klingeman
Bridgers	Lansberry
Brown	Lehman
Bruhl	Leyendecker
Bundy	Little
Burnaman	Love
Carlton	Lowry
Carrington	Lucas
Cato	Lyle
Celaya	McAlister
Cleveland	McCann

Coker	McDonald
Craig	McGlasson
Crossley	McLellan
Crosthwait	McMurry
Dickson of Bexar	McNamara
Donald	Manford
Dove	Manning
Duckett	Markle
Dwyer	Martin
Eubank	Montgomery
Evans	Morgan
Favors	Morris
Ferguson	Morse
Files	Phillips
Fitzgerald	Price
Fuchs	Reed of Dallas
Garland	Ridgeway
Gilmer	Sallas
Goodman	Senterfitt
Halsey	Simpson
Hanna	Skiles
Hardeman	Smith of Bastrop
Hargis	Spacek
Harris of Dallas	Spangler
Stanford	Walters
Stinson	Weatherford
Thornton	White
Turner	Whitesides
Vale	Winfree
Voigt	

Nays—22

Baker	Knight
Bullock	Lock
Burkett	Matthews
Clark	Moore
Daniel	Murray
Deen	Pace
Ellis	Pevehouse
Helpinstill	Reed of Bowie
Hobbs	Rhodes
Huddleston	Roberts
Kennedy	Stubbs

Absent

Chambers	Parker
Colson, Mrs.	Rampy
Connelly	Roark
Davis	Sharpe
Gandy	Shell
Hoyo	Taylor
Jones	Wattner

Absent—Excused

Boone	Kinard
Dickson of Nolan	King
Heflin	Mills
Howard	Nicholson
Hutchinson	Smith of Atascosa
Kersey	

Mr. Isaacks moved to reconsider the vote by which House Bill No. 73 was passed, notwithstanding the objections of the Governor, and to table the motion to reconsider.

The motion to table prevailed.